

The Daily News Digest

Monday, August 16, 2010

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DAILY NEWS DIGEST ARTICLES

August 16, 2010

Section I: Texas Air

EPA considers expanding fracturing study to air quality

Grand Junction Sentinel, 08/14/10

Summary: Recently retired Environmental Protection Agency environmental engineer Weston Wilson is best known for criticizing his employer's 2004 finding that hydraulic fracturing poses little or no risk to domestic groundwater. Now, the Denver EPA whistleblower is encouraged by the agency's interest in studying the natural gas development procedure's potential impacts on air quality as well. "I'm proud of EPA now," not just for undertaking the study, but indicating it may expand the study's reach beyond water, Wilson said.

Section II: Texas Air

Frisco's air has too much lead under new federal pollution rules

Dallas Morning News, 08/16/10

Summary: An area of Frisco that encompasses downtown, several schools and neighborhoods will soon be in violation of new federal lead pollution standards. The 2.4-square-mile nonattainment area, which the city and Exide Technologies Inc. contend is too big, will carry one of 20 such designations nationwide when they become final in mid-October. Few of those sites are in counties or cities as densely populated as Frisco.

WINDMILL COUNTRY: Expanding EPA reach could hurt agriculture

San Angelo Standard Times, 08/14/10

Summary: Here we go again! The cap-and-trade legislation that already passed the U.S. House of Representatives and was said to be dead in the Senate may not be. Supporters of the legislation — known as the American Clean Energy and Security Act — are apparently getting their way by giving the Environmental Protection Agency the authority to wage a battle with the agriculture, oil and gas industries through more regulations.

PROPOSED CHANGES TO AIR QUALITY PERMITS ANNOUNCED

Power-Gen Worldwide, 08/13/10

Summary: The Texas Commission on Environmental Quality issued a air-related news release.

Section III: Oil Spill

Gulf seafood gets intense safety testing

AP, 08/16/10

Summary: Seafood from the Gulf of Mexico is being put under the microscope like no other kind on the market, with fish, shrimp and other catches ground up to hunt for minute traces of oil — far more reassuring than that sniff test that made all the headlines. And while the dispersant that was dumped into the massive oil spill has consumers nervous, health regulators contend there's no evidence it builds up in seafood — although they're working to create a test for it, just in case.

'Our Job Is Not Finished,' President Tells Gulf Coast

NY Times, 08/14/10

Summary: President Obama on Saturday called the capping of the well that has spewed tens of millions of gallons of oil into the Gulf of Mexico "an important milestone," but vowed to maintain an intense government response until the environment is cleaned up and businesses and communities are made whole. "Today, the well is capped, oil is no longer flowing into the gulf, and it has not been flowing for a month," Mr. Obama said at a Coast Guard district station here, with cutters behind him and his wife, Michelle. "But I'm here to tell you that our job is not finished, and we are not going anywhere until it is."

BP relief well needs to be finished, U.S. says

MSNBC, 08/13/10

Summary: Ending days of uncertainty, the incident chief for the busted BP well said Friday that BP experts and government scientists agree that a relief well needs to be finished to completely kill BP's busted well, but just how to do so is still being discussed. "Everybody's in agreement we need to move ahead with the relief well; the question is how to do that," National Incident Commander Thad Allen told reporters. "I'd like to give you a definitive answer," he added, "but it's a work in progress." BP had thought the mud and cement pumped in from above the leak may have essentially killed the well. But the relief well will allow engineers to pump in mud and cement from below in a "bottom kill" attempt to permanently seal the well.

BP: Dispersing Oil or Criticism?

In These Times, 08/13/10

Summary: BP was slow to staunch the hemorrhage of oil from the Deepwater Horizon blowout, but it wasted no time applying vast quantities of the chemical dispersant Corexit. By mid-July, BP had released almost 2 million gallons of the chemical into the Gulf ecosystem. BP and Corexit manufacturer Nalco claim the chemical reduced damage from the spill, and was as harmless as dish soap.

Pressure test complete on blown-out Gulf well: BP

Reuters, 08/13/10

Summary: BP Plc said on Friday it has completed a pressure test on its blown-out Gulf of Mexico well and those results are under review by government scientists and the British oil company. A recommendation on how to proceed is expected to go to the U.S. government, BP said in a brief news release. BP may not need a nearly completed relief well to drill into the bottom of the ruptured Gulf of Mexico well if the pressure test shows that cement poured in from the top last week killed the leak, the top official overseeing the government's spill response said on Thursday. The test could indicate BP already cleared the last hurdle to terminate the source of the world's worst offshore oil spill, retired Coast Guard Admiral Thad Allen told reporters at a briefing on Thursday. No oil has leaked into the Gulf of Mexico since July 15, when BP plugged the top of the well with cement. Shares of BP traded in London rose 1.2 percent while the stock rose nearly 1 percent in New York trading.

Alabama Sues BP Over Gulf Oil Spill

Huffington Post, 08/12/10

Summary: Alabama's attorney general is suing BP and others over the Gulf oil spill because he says the oil company has broken too many promises about accepting responsibility for the disaster. Attorney General Troy King filed two lawsuits in federal court in Montgomery late Thursday afternoon on behalf of the state. The lawsuits – one against BP and the other against Transocean, Haliburton and other companies associated with the spill – seek economic and punitive damages. No specific amount was listed.

Section IV: Other

Nine Ways to Cool the Planet

Rolling Stone, 08/19/10

Summary: The failure of climate talks in Copenhagen last year, coupled with the Senate's refusal to pass tough climate legislation means we won't get a meaningful cap on carbon pollution anytime soon. At this rate, some fear, it may soon be time to prepare for life on another planet. But just because our political leaders have failed to fix the looming climate catastrophe doesn't mean we can afford to sit by and do nothing.

EPA questions plan for Canada-Texas pipeline

Houston Chronicle, 08/15/10

Summary: A proposed pipeline that would ferry Canadian crude oil to Texas refineries has run afoul of the recharged federal push to protect minorities and the poor from an overburden of pollution. The U.S. Environmental Protection Agency says the pipeline plan doesn't evaluate the potential health impacts on Port Arthur, where one fork of the pipeline will end.

County input sought for natural resource concerns

Victoria Advocate, 08/14/10

Summary: The Victoria Soil and Water Conservation District and the USDA-Natural Resources Conservation Service will hold a local work group meeting/listening session for anyone interested in agriculture or conservation at 1:30 p.m. Tuesday. The purpose of the meeting is to receive input from a broad range of local agencies, organizations, businesses and people who have an interest in natural resource conditions and needs in Victoria County.

Obama to mark Katrina anniversary in New Orleans

AP, 08/13/10

Summary: resident Barack Obama will mark the fifth anniversary of Hurricane Katrina in New Orleans on Aug. 29. The White House says Obama will speak at Xavier University. Other administration officials who have worked on Katrina recovery efforts will also be in the region to mark the anniversary. Obama made his first trip to New Orleans since taking office in October, holding a town hall with local residents. He returned to the city again this year to assess efforts to stop the Gulf of Mexico oil spill.

Solar hot water systems catching on

San Antonio Express, 08/13/10

Summary: When people think about solar energy, they usually envision roof panels that turn the sun's heat into electrons. Often overlooked is an older, simpler solar technology — using the sun's rays to directly heat water. Hot water can't run an air conditioner or a big-screen television the way energy from a solar photovoltaic system can, but water heating is a big part of a building's utility bill.

Workers try to block oil drainage

Baton Rouge Advocate, 08/12/10

Summary: Environmental contractors worked Thursday putting up dikes to block oil from running into swamps west of a wild well that erupted Wednesday in Assumption Parish, as forecasters predicted up to 3 inches of rain through Saturday morning, emergency and weather officials said. Rain poses not only a runoff risk before embankments and other measures are ready but also can bring lightning that would slow preparations to cap the well spewing flammable hydrocarbons, authorities said. Environmental officials continued to monitor the air in the vicinity of the blowout and sought to allay concerns about an oily odor being reported from residences near the well, as well as in Paincourtville and Napoleonville farther away, authorities said.

BP agrees to \$50.6 million fine in Texas City explosion

AP, 08/12/10

Summary: Beleaguered oil giant BP has agreed to pay a record \$50.6 million fine for failing to correct safety hazards at its Texas City oil refinery after a 2005 explosion killed 15 workers. The Occupational Safety and Health Administration said Thursday that it is still working to collect \$30 million from BP Products North America for other penalties that the company is contesting. "The size of the penalty rightly reflects BP's disregard for workplace safety and shows that we will enforce the law so workers can return home safe at the end of their day," Labor Secretary Hilda Solis said.



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EPA considers expanding fracturing study to air quality

By Dennis Webb

Saturday, August 14, 2010

Recently retired Environmental Protection Agency environmental engineer Weston Wilson is best known for criticizing his employer's 2004 finding that hydraulic fracturing poses little or no risk to domestic groundwater.

Now, the Denver EPA whistleblower is encouraged by the agency's interest in studying the natural gas development procedure's potential impacts on air quality as well.

"I'm proud of EPA now," not just for undertaking the study, but indicating it may expand the study's reach beyond water, Wilson said.

His position puts him at odds with the oil and gas industry. At a Denver EPA meeting this summer, several industry representatives argued the study should be limited, as directed by a congressional committee, to the relationship between fracturing and groundwater. "And certainly not air quality," as Kathleen Sgamma of the Western Energy Alliance put it.

But one of a number of Garfield County residents who say their health has been affected by drilling says he supports the idea of the EPA considering whether fracturing creates airborne health concerns as well.

"I think they should look at all aspects that affect public health," Ron Galterio said.

He and several other Battlement Mesa residents say they've suffered ill effects from fumes from recent nearby fracturing operations by Antero Resources.

Josh Joswick of the San Juan Citizens Alliance told the EPA during its Denver meeting, "I don't think you can study water without studying air."

Hydraulic fracturing involves pumping water, sand and chemicals into wells under high pressure to crack open formations and facilitate flow of gas and oil. The process has been key to developing gas in western Colorado's Piceance Basin, where gas is mostly locked in sandstone formations until fracturing occurs.

"Simply put, without hydraulic fracturing, western Colorado's natural gas activity would virtually cease to exist," Doug Flanders, director of policy for the Colorado Oil & Gas Association, told the EPA at its Denver meeting.

But the process has raised fears that, in addition to drinking water aquifers, it could contaminate air when fracturing fluids and gas are brought to the surface.

Wilson, who obtained whistleblower protective status when he sent a report to Congress questioning his agency's 2004 findings on fracturing, said part of the argument for looking into air-quality effects of fracturing arises from a health study conducted for Garfield County.

He said that study showed "mixed results" about what dangers gas development might present, but one disturbing finding involves benzene. The study said airborne benzene could exceed acceptable non-cancer health-risk levels within 250 meters downwind of well-flowback operations that don't include gas recovery. It recommended use of "green" well completions to reduce this risk.

The report said neurotoxicity, depressed bone-marrow function, an impaired immune system and blood disorders are among the non-cancer risks of benzene, which also is a carcinogen.

"If that is an effect of oil and gas drilling, of fracking, it's systemic, it's endemic," Wilson said. "It's evaporating from the reserve pits and the condensate tanks. It's not as if the current state of the art protects the public health from those volatile organics."

Benzene is one of several volatile organic compounds associated with gas development. It can be contained both in fracturing fluid and the gas itself. Fracturing fluids also can contain numerous other toxic substances, which aren't required to be disclosed to the public.

Some Battlement Mesa residents, including Galterio, recently complained of nausea, dizziness, coughing, burning eyes and other ill effects of fracturing by Antero just outside their community. They say the situation adds to their fears about what will happen if Antero proceeds with plans to drill 200 wells within Battlement Mesa.

Over the years, other Garfield County residents living near gas development have complained of similar symptoms from fracturing and other operations.

Marc Smith, executive director of the Western Energy Alliance (formerly the Independent Petroleum Association of Mountain States), said air quality is an important topic, and it's not that the industry objects to studying it at some point as it pertains to fracturing.

"It's always within the jurisdiction of EPA to look at human health and environmental issues, and by no means are we saying that the EPA doesn't have a right to do that. What we do believe is that their interest in that area should not delay the timely completion of the study on hydraulic fracturing," he said.

The EPA is still finalizing its study plans, but Smith said it appears to be vastly broadening the study scope. That would make it take longer to complete, and industry is anxious to see the agency issue findings that address the question of fracturing and groundwater.

"Industry believes it will provide the peace of mind to communities to have the EPA confirm what other reports have indicated, which is that state regulatory programs provide a high level of protection for groundwater," he said.

Timely completion of the study is important because there are already federal legislative proposals "to address a problem that we don't know even exists, and the sooner there is closure, the sooner good policy can be formulated," Smith said.

The EPA also is going through a separate process to consider updating its air-pollution rules involving the oil and gas industry. Smith said that might be an appropriate process for considering fracturing and air quality, although he doesn't know the best way the agency should be delegating its staff and resources.

Wilson said he can't judge whether fracturing poses a serious threat to air quality.

"I don't know. That's sort of the Catch-22 of this industry, so little is known," he said.

But he said people complaining of ailments deserve to at least have their concerns investigated.

Colorado Oil and Gas Conservation Commission staff have cited Antero with an alleged violation in the Battlement Mesa case. Galterio said the company says it is using a closed system rather than open pits, and is containing flowback and produced water in tanks, but that didn't prevent the problem with fumes.

Jon Black, Antero's local operations manager, said the company is using equipment that exceeds the state's green completion requirements.

He said the company plans to incorporate additional "best management practices" during the next round of fracking and flowback. It also is using equipment to measure odors, a weather station and other means of applying science to what otherwise can be a subjective matter, he said.

"It's one of those ambiguous issues, and the reason I say that is everybody's got a different level of sensitivity and perception to odor," he said.

But Galterio said that with people becoming ill, residents took issue with Antero's contention during a recent meeting that the fumes were mere nuisance odors because they didn't exceed air-quality standards.

"We told them that the odors were much more than a nuisance to some people," he said.



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Frisco's air has too much lead under new federal pollution rules

12:55 AM CDT on Monday, August 16, 2010

By MATTHEW HAAG and VALERIE WIGGLESWORTH / The Dallas Morning News

mhaag@dallasnews.com

vwigglesworth@dallasnews.com

An area of Frisco that encompasses downtown, several schools and neighborhoods will soon be in violation of new federal lead pollution standards.

The 2.4-square-mile nonattainment area, which the city and Exide Technologies Inc. contend is too big, will carry one of 20 such designations nationwide when they become final in mid-October. Few of those sites are in counties or cities as densely populated as Frisco.

The designation means the air in the heart of Frisco is unhealthy to breathe. A decades-old lead smelter operated by Exide that crushes and recycles used automotive and industrial batteries is to blame. The plant's lead emissions are among the highest in the south-central United States.

Lead is toxic, even in minute amounts, and is especially harmful to children. It can cause behavior problems, learning disorders and brain damage in children. In adults, lead poisoning has been linked to high blood pressure and heart disease.

"This is really the first step," Guy Donaldson, a chief of air planning at the Environmental Protection Agency, said. "The steps that bring about better air quality [come] when the plans are put into place to make the pollution controls and get emissions reduced."

Stricter standard

The nonattainment status comes as the EPA enforces a much stricter lead air standard, known as National Ambient Air Quality Standards, or NAAQS. Texas environmental regulators will need to outline a plan within three years of how the area will shed that status.

However, both Exide and Frisco city officials disagree with the proposed boundaries, which extend beyond Pizza Hut Park to the north and Frisco High School to the south.

The nonattainment area is based on computer modeling that predicts air lead levels when Exide is releasing the maximum permitted emissions. But Exide usually operates at half those emissions. Melissa Kuskie of the Texas Commission on Environmental Quality said in an e-mail that air modeling shows lead concentrations "to be roughly two to three times higher than actual monitored values."

Exide and city officials argue that the area should be much smaller and based on actual data from three air-quality monitors near the plant. In a letter sent Friday to the EPA, Frisco City Manager George Purefoy urged the federal agency to reconsider the boundaries.

"We certainly want to protect the public," Purefoy said in an interview. "But why not use real-world data?"

Purefoy said the modeling unnecessarily labels some properties as having a problem when they might not. Plus, he said, the nonattainment area is essentially a rectangle. "There's no way [lead emissions are] evenly dispersed around the plant like that," he said.

State environmental officials said they used modeling based on the plant's permitted emissions to account for any future increase. EPA officials agreed with the state's procedures and recommend adopting the state's boundaries.

"Regardless of the size of the nonattainment area, the actions the Exide Frisco recycling center must take to meet requirements of the new NAAQS and protect the health and safety of its neighbors remain the same," Exide said in a statement.

The company said it's already trying to reduce lead emissions. Company officials said they have installed new dust collection filters on several bathhouses, which help remove tiny lead particles, and plan other upgrades.

Heightened scrutiny

Texas environmental regulators started the process to designate the area as nonattainment about a year ago because air-quality monitors near Exide were recording lead levels that exceeded the new, more stringent standard for lead. EPA accepted the state's recommendation this summer, and the public can send comments about the designation to the federal agency through today.

As of Friday, no comments had been received.

The plant has been under heightened scrutiny in the past year because monitor readings show that Exide won't meet new standards for lead, which tightened tenfold to 0.15 micrograms per cubic meter. As those new standards were being implemented, Exide officials proposed expanding production.

While Exide's application to expand was pending, it also proposed more than a million dollars in new pollution controls. Exide withdrew the application amid public outcry last October.

Federal environmental regulators continue to monitor Exide. Recently the EPA took soil samples from multiple sites on and around the plant. City and state officials are waiting for those results before starting a health risk study for Frisco.

In recent months, city officials have been working with the state to relocate two monitors from Exide's property and put in a third at the city's police department, which borders plant property on the south. A fourth monitor will remain in the neighborhood directly north of the plant.

WINDMILL COUNTRY: Expanding EPA reach could hurt agriculture

By Jerry Lackey

Saturday, August 14, 2010

SAN ANGELO, Texas — Here we go again! The cap-and-trade legislation that already passed the U.S. House of Representatives and was said to be dead in the Senate may not be.

Supporters of the legislation — known as the American Clean Energy and Security Act — are apparently getting their way by giving the Environmental Protection Agency the authority to wage a battle with the agriculture, oil and gas industries through more regulations.

“The unelected folks at EPA will do it by regulatory fiat,” writes Gene Hall, with the Texas Farm Bureau. “There is a feeling in farm and ranch circles that an aggressive and unchecked EPA has set out to make U.S. agriculture obsolete.”

The climate-change legislation’s aim is to set a strict cap on allowable greenhouse gas emissions from certain facilities, and enable regulated entities to purchase “offsets” from agriculture and other entities to ease compliance.

The EPA’s focus is “a tenfold reduction in the thresholds of what it calls coarse particle matter, known in West Texas as agricultural dust,” Big Spring native Colin Woodall told me. “We’re talking about everything that comes out of the back of a cotton stripper or a combine (dust, leaves and harvest debris) or cows that are milling around in the feedlot, even dust kicked up from pickup tires while driving down a country road.”

Woodall, vice president of government affairs for National Cattlemen’s Beef Association in Washington, D.C., said the science the EPA is basing its statements on is falsified.

“Continuing to use carbon-based fuels may not be as bad as reports indicate,” said former congressman Charlie Stenholm recently in Abilene before the biennial Big Country Wheat Conference. “I’m skeptical that there is as much carbon in the air as we’ve been told.”

There is no way fossil fuels will be replaced in the next 30 years, he said. There will be development of all forms of energy as supplements, but not alternatives, to oil.

"The problem is how do we replace something with an alternative that costs more when most of us prefer to buy cheaper?" Stenholm said.

Greenhouse gas emissions for all of agriculture were less than 6 percent of the total U.S. emissions, according to the EPA's own study in 2007.

"Methane emissions from all livestock production accounted for only 2.6 percent of all U.S. greenhouse gas emissions," Woodall said. "Nitrous oxide emissions from total manure management were only 0.2 percent of all emissions."

The Waco-based Texas Farm Bureau, the state's largest farm organization with more than 500,000 members, opposes any greenhouse gas legislation until other countries meet or exceed U.S. requirements, said Texas Farm Bureau President Kenneth Dierschke of San Angelo.

U.S. Sen. Mike Johanns, R-Neb. and former U.S. secretary of agriculture, asked the question: Is common sense extinct at EPA?

"Why do they do these wacky things and then claim that we are the ones being alarmists?" Johanns said. "They are a federal department that just is out of control."

Johanns has joined 21 other U.S. senators, including Sen. John Cornyn, R-Texas, who have signed a letter of appeal to EPA Administrator Lisa Jackson calling the proposed standard "extremely burdensome" for farmers and livestock producers.

"It's not so much that the EPA is considering regulation of dust in agriculture. What bothers me is that they might be thinking they can actually make this work," Hall said.

Hall has hit the nail on the head: "It's not possible to grow a crop — animal, vegetable, grain or cotton — without kicking up a little dust."

About 121,000 farmers produce 75 percent of America's agricultural production, Stenholm said.

More food is produced by fewer farmers on less dirt — improved by sound conservation practices — than ever after 200-plus years of American agriculture. What's going to happen when the EPA fines the remaining 121,000 farmers for tilling the soil?

Jerry Lackey writes about agriculture. Contact him at jlackey@wcc.net or 325-949-2291.



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PROPOSED CHANGES TO AIR QUALITY PERMITS ANNOUNCED

US State News
August 13, 2010

AUSTIN, Texas, Aug. 13 -- The Texas Commission on Environmental Quality issued the following news release:

The TCEQ is publishing in the Texas Register a proposed revision to permitting replacing the current standard permit for the construction and/or modification of oil and gas production facilities with a new standard permit. The new standard permit contains significant new requirements including: a single site-wide authorization; authorization of planned maintenance, start-up, and shut down emissions; and requirements for emissions control and best management practices to ensure that emissions from oil and gas sites do not threaten human health. The proposed standard permit would also feature variable emission limits based on the height above ground of emission release points and distance from those release points to off-property receptors such as residences, institutions, and public areas. Beginning Jan. 5, 2012, facilities authorized under the current standard permit must meet the requirements of the new standard permit relating to MSS emissions. As of Jan. 1, 2015, upon renewal, the owner or operator of a facility would be required to fully comply with this new standard permit.

A public hearing on the proposed standard permit and related revisions to the permit by rule for oil and gas sites will be held on Sept. 14, 2010 at 10:00 a.m. at the Texas Commission on Environmental Quality, Building E, Room 201S, 12100 Park 35 Circle, in Austin. Call the TCEQ's Office of Permitting and Registration, Air Permits Division, at 512-239-1250 for copies of the proposed standard permit for oil and gas production facilities or go to the TCEQ website at <http://www.tceq.state.tx.us/permitting/air/nav/standard.html>.

Comments may be mailed to Beecher Cameron, Texas Commission on Environmental Quality, Office of Permitting and Registration, Air Permits Division, MC 163, P.O. Box 13087, Austin, Texas 78711-3087 or faxed to 512-239-1070. All comments should reference the standard permit for oil and gas production facilities. Comments must be received by 5:00 p.m. on Sept. 17, 2010. For further information, contact Mr. Cameron at 512-239-1495. Si desea informacion en Espanol, puede llamar al 800-687-4040. For any query with respect to this article or any other content requirement, please contact Editor at htsyndication@hindustantimes.com

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Gulf seafood gets intense safety testing

By LAURAN NEERGAARD (AP) – 5 hours ago

WASHINGTON — Seafood from the Gulf of Mexico is being put under the microscope like no other kind on the market, with fish, shrimp and other catches ground up to hunt for minute traces of oil — far more reassuring than that sniff test that made all the headlines.

And while the dispersant that was dumped into the massive oil spill has consumers nervous, health regulators contend there's no evidence it builds up in seafood — although they're working to create a test for it, just in case.

More Gulf waters are reopening to commercial hauls as tests show little hazard from oil, and Louisiana's fall shrimp season kicks off Monday. Yet it's too soon to know what safety testing will satisfy a public so skeptical of government reassurances that even local fishermen voice concern.

Basic biology is key: Some species clear oil contamination out of their bodies far more rapidly than others. Fish are the fastest, oysters and crabs the slowest, and shrimp somewhere in between.

"I probably would put oysters at the top of the concern list and I don't think there's a close second," said marine scientist George Crozier, who directs the Dauphin Island Sea Lab in Alabama.

The oil contaminants of most health concern — potential cancer-causing substances called polycyclic aromatic hydrocarbons, or PAHs — show up in other everyday foods, too, such as grilled meat. Low levels also are in seafood sold from other waters.

Where Gulf seafood harvesting has been reopened, "the levels that we see are pretty typical of what we see in other areas, Puget Sound or Alaska," said Walton Dickhoff, who oversees testing at the National Oceanic and Atmospheric Administration's Northwest Fisheries Science Center in Seattle.

Here are some questions and answers about Gulf seafood safety:

Q: What are PAHs?

A: They're common pollutants from oil, vehicle exhaust, wood-burning fires and tobacco smoke. They can be in food grown in polluted soil and form in meat cooked at high temperatures. In fact, NOAA research found that Alaskan villagers' smoked salmon, a staple food, contained far more PAHs than shellfish tainted by the Exxon Valdez spill.

Q: How does the government decide it's safe to reopen fishing waters?

A: Seafood testing begins when there's no longer visible oil in a particular area. First, inspectors smell samples for the slightest whiff of oil. Step 2 is chemical testing at the Food and Drug Administration, NOAA, or state laboratories.

To reopen seafood harvesting, the samples must test below FDA-set "levels of concern" for 12 different PAHs, based on how much someone would have to eat for a potential health risk, and how much of each food fairly heavy seafood consumers tend to eat in a month. Well over 1,200 samples have been tested with many more on the way, each sample containing multiple individual fish, shrimp, crab or oysters.

Q: With so much oil in the Gulf, how could fish emerge untainted?

A: Commonly consumed fin fish — like grouper, snapper and tuna — rapidly metabolize those PAHs. That's been known for years and tracked during other oil spills, and the reason that fishing is being allowed first in reopened waters.

Consider the PAH naphthalene. The safe limit is 3.3 parts per billion. The highest levels found in recently reopened waters off the Florida panhandle were well below that, 1.3 ppb, mostly in red snapper.

Q: Why haven't crabs and oysters been cleared?

A: They're the slowest metabolizers, plus crabs require an extra testing step that FDA hasn't finished.

Oysters are probably the best absorbers of oil, as they take in both droplets and dissolved oil, said Carys Mitchelmore, an aquatic toxicologist at the University of Maryland Center for Environmental Science.

Most oyster testing is just beginning, so stay tuned, although the FDA recently cleared some from Alabama that contained less than a quarter of the total PAH limit of 66 parts per million.

Q: But what about that controversial dispersant — are the feds testing for it?

A: Not yet; they're still developing a good test.

AP Associated Press

Photo 1 of 8



Samples of shrimp are lined up from the Gulf of Mexico as tests are conducted on seafood at the NOAA facility in Seattle, on Thursday, Aug. 12, 2010. Seafood from the Gulf of Mexico is being put under the microscope like no other kind on the market, with fish, shrimp and other catches ground up to hunt for minute traces of oil, far more reassuring than that sniff test that made all the headlines. (AP Photo/Kevin P. Casey)

Q: So why do they say dispersant isn't a seafood threat?

A: Some dispersant chemicals are FDA-regulated ingredients in skin creams and even foods. FDA contends the stronger cleansing ingredients under question degrade too quickly in water to accumulate in fish flesh. In experiments under way in Texas and Alabama, federal scientists are dumping dispersant into tanks full of shrimp, oysters and crabs to try to detect even minute levels.

Still, some critics say a test is needed.

"Make this as comprehensive as possible," says Susan Shaw of the Marine Environmental Research Institute in Maine. "It's trying to make sure the needle in the haystack is not there."

But the dispersant broke oil into smaller, easier-to-absorb droplets, meaning oil tests would detect seafood exposed to lots of dispersant, Dickhoff said.

"We believe the science is very compelling that there is not a human health concern for fish consumption with respect to dispersants," added Donald Kraemer, who oversees FDA's Gulf seafood testing.

The PAH testing reassures Maryland's Mitchelmore: "At the end of the day, the oil is the toxic entity."

Q: What if storms stir oil back into reopened waters?

A: "We will continue to test as long as it's needed," said NOAA Administrator Jane Lubchenco.

Q: Wouldn't the cautious approach be to eat seafood caught elsewhere for a while?

A: Seafood caught elsewhere can have different pollution issues. Most U.S. seafood is imported and the FDA inspects only a fraction of it.

Associated Press writers Mary Clare Jalonick in Washington and Phuong Le in Seattle contributed to this report.

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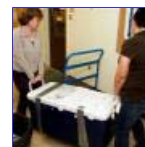
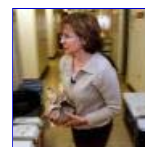
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October 15

August 14, 2010

‘Our Job Is Not Finished,’ President Tells Gulf Coast

By **SHERYL GAY STOLBERG**

PANAMA CITY, Fla. — **President Obama** on Saturday called the capping of the well that has spewed tens of millions of gallons of **oil** into the Gulf of Mexico “an important milestone,” but vowed to maintain an intense government response until the environment is cleaned up and businesses and communities are made whole.

“Today, the well is capped, oil is no longer flowing into the gulf, and it has not been flowing for a month,” Mr. Obama said at a Coast Guard district station here, with cutters behind him and his wife, **Michelle**. “But I’m here to tell you that our job is not finished, and we are not going anywhere until it is.”

The Obamas and their daughter **Sasha** — their older daughter, **Malia**, is away at camp — arrived here on Saturday morning, along with their dog, Bo, for a one-night stay in a summer in which their leisure pursuits have kicked up national confusion over what is appropriate for an American president and his family.

The trip, intended by the White House to spotlight the oil-stricken Gulf Coast as a recreational venue, was planned after Mr. Obama and his wife urged Americans to vacation here, only to make their own vacation plans for Maine and Martha’s Vineyard.

(And that was before Mrs. Obama and Sasha jetted off to the coast of Spain for a mother-daughter trip that has been criticized as too luxurious during a **recession**.)

Perhaps metaphorically for a president who has been through a rough patch, the skies here were gray and rainy when **Air Force One** landed — not an especially appealing backdrop for Mr.

Obama, who had intended to encourage vacationers to sample the gulf seafood and beaches. But by the time the president spoke, the sun had broken through, and he made his pitch.

“Beaches all along the Gulf Coast are clean, safe and open for business,” Mr. Obama said. He said he wanted to let “fellow Americans know that they should come on down here,” adding, “Not just to support the region, but also because it’s a beautiful place to visit.”

For the president, and to a lesser extent for Mrs. Obama, the trip is a working vacation. As soon as Air Force One touched down Saturday morning, the first couple went to the Coast Guard headquarters for a round-table discussion with local business leaders and government officials, including a hotel owner and a fishing boat captain who spoke of declining revenues in the months since the spill.

“I’m going to spend most of my time, Michelle is going to spend most of her time, listening and getting suggestions and recommendations from you,” the president told them.

The trip was a somewhat delicate one for Mr. Obama. Although he wants to take credit for the government response and the capping of the well, he can ill afford to declare “mission accomplished.” In his remarks, the president vowed to maintain the government’s focus on removing any oil that might surface; testing fisheries and reopening waters for fishing as soon as tests show they are safe; leaning on BP to quickly process claims; and developing a long-term restoration plan for the gulf.

The brief speech concluded the working portion of the trip; the big question on Saturday morning here was what the Obamas would do for fun. In the afternoon, the family had lunch at Lime’s Bayside Bar & Grill at the end of a long pier. Later they played miniature golf.


But Mr. Obama faced a presidential dilemma: whether to go swimming. To stay out of the water would have suggested it was unsafe, undercutting the message of his trip. To take the plunge might have resulted in photographs of him shirtless, causing a controversy like the one that dogged him in 2008 after he went bodysurfing in Hawaii.

The White House solved the problem by allowing only its own photographer to take pictures of the president swimming. The photo it released showed Mr. Obama enjoying the surf — from the neck up.

The Panama City visit is short, planned for just 27 hours; the family expected to return to Washington on Sunday evening, and on Monday Mr. Obama will set off for a three-day cross-country fund-raising swing.

When he returns, he will head to Massachusetts for his real vacation: 10 days on Martha's Vineyard.

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U.S.: Final kill needed as BP well not secure

Incident chief says how to use relief well is 'work in progress'



Win McNamee / Getty Images

Vessels work at the site of the Deepwater Horizon incident as seen from inside a Coast Guard flight over the site August 10 off the shore of Louisiana.

msnbc.com staff and news service reports

updated 2 hours 13 minutes ago

NEW ORLEANS — Ending days of uncertainty, the incident chief for the busted BP well said Friday that BP experts and government

scientists agree a relief well needs to be finished to completely kill the busted well, but just how to do so is still being discussed.

"Everybody's in agreement we need to move ahead with the relief well; the question is how to do that," National Incident Commander Thad Allen told reporters.

"I'd like to give you a definitive answer," he added, "but it's a work in progress."

BP had thought the mud and cement pumped in from above the leak may have essentially killed the well. But the relief well will allow engineers to pump in mud and cement from below in a "bottom kill" attempt to permanently seal the well.

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Work on the wells was stopped this week because of bad weather.

The decision to resume work on the relief wells means a key milestone in the crisis that wreaked havoc on the Gulf Coast's economy and ecosystem remains several days off.

However, Allen has repeatedly insisted on an "overabundance of caution" when it comes to permanently plugging the well.

Pressure tests completed late on Thursday showed that the well is effectively sealed, with "no communication with the reservoir," Allen said.

But engineers are worried that increased pressure from the "bottom kill" could damage the existing temporary cement plug and perhaps cause about 1,000 barrels of oil trapped in the well shaft to flow into the ocean, Allen said. Engineers are developing procedures to allay such concerns, he said.

After Allen gives the order to continue with the relief well, it will take about 96 hours to drill into the Macondo well shaft and perhaps days beyond that to complete the job, he said.

On Thursday, Allen had said it was possible that the "bottom kill" would not be necessary.

It would have been difficult to say the "bottom kill" was unnecessary after promising it for weeks as the ultimate solution, said Eric Smith, associate director of the Tulane Energy Institute.

"That's been the mantra all along, that they wanted to do the bottom kill," he said.

Proceeding with the relief well makes sense, said Bob Bea, a petroleum engineering professor at the University of California, Berkeley, who is conducting his own investigation into the disaster.

Too little is known about how much cement might be inside the space between the inner piping and outer casing to be confident the well is permanently plugged, he said.

"Everything we know at this time says we need to continue the work with the relief wells," he said. "We don't know the details of how they plugged the well from the top. We don't know the volume of material they put in the well bore, and without that we can't tell how close to the bottom of the well they got."

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Drilling of the first relief well began in early May. Since then, the drill has been guided some three miles from the surface and two miles beneath the sea floor to within 30 to 50 feet of the target. The drill is about as wide as a grapefruit, its target less than half the size of a dartboard.

It's unclear when the drilling could be finished. Officials had projected as early as Friday before the nasty weather forced the operation to a halt. Drilling that final stretch is a time-consuming and careful process as engineers work to make sure they don't miss.

Crews dig about 20 to 30 feet at a time, then run electric current through the relief well. The current creates a magnetic field in the pipe of the blown-out well, allowing engineers to calculate exactly where and how far they need to drill.

The flow of oil into the Gulf has been halted since July 15, when a temporary cap over the well was able to contain the spill. But officials have stressed for weeks that only a bottom kill will ensure the well is no longer a danger.

Before July 15, the oil leaked almost unimpeded for nearly three months and spilled some 206 million gallons of oil, according to the government's latest estimate. The crisis began on April 20, after an explosion on the BP PLC-leased Deepwater Horizon drilling rig that killed 11 workers. Officials don't yet know the cause of the explosion, or why machinery designed to prevent the unchecked flow of oil failed to

work.

BP has already spent \$6.1 billion responding to the spill.

The Associated Press and Reuters contributed to this report.

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NEWS » AUGUST 13, 2010

BP: Dispersing Oil or Criticism?

Toxic chemicals helped the oil giant save face, but their health and environmental impacts are unknown

By [TERRY J. ALLEN](#)

BP was slow to staunch the hemorrhage of oil from the Deepwater Horizon blowout, but it wasted no time applying vast quantities of the chemical dispersant Corexit. By mid-July, BP had released almost 2 million gallons of the chemical into the Gulf ecosystem.

BP and Corexit manufacturer Nalco claim the chemical reduced damage from the spill, and was as harmless as dish soap.

But dispersants do not lessen the amount of oil in the environment. Rather, they break oil into tiny drops that have different, but not necessarily fewer, toxic properties. After more than three months, the fundamental question lingers: Did Corexit do more harm than good?

Aside from questions about their safety and efficacy, dispersants have proven useful, critics charge. By breaking down the oil, Corexit has made it less visible, disguised the full environmental impact of the spill and helped BP limit its legal and financial liability.

In addition to surface application, BP injected 700,000 gallons of Corexit a mile deep at the blown-out well head. This untested experiment caused oil to become suspended in great plumes before it reached the surface, further obscuring the quantity of leaked oil. An added bonus for BP is that marine life killed by the plumes dies out-of-sight, sinking to the ocean floor rather than dying on camera in oil-coated misery.

Indeed, investigators now admit they don't know where most of the 200 million-plus gallons of spilled oil has gone. But much of it, they assume, formed oil-plus-dispersant droplets that are being incorporated into sea life in unpredictable ways.

BP has used two dispersant formulations in the gulf—Corexit 9500 and 9527. The older formula, Corexit 9527—which contains 2-butoxy ethanol, a compound associated with headaches, vomiting and reproductive problems at high doses—is more toxic.

BP used “limited” quantities of the more dangerous formula to fill the gap until his company could ramp up production of the “improved” formula, Nalco spokesman Charlie Pajor told *In These Times*. But Pajor refused to quantify the amount applied.

In mid-May, Environmental Protection Agency head Lisa Jackson said she didn't know for sure how much of each formulation was deployed, but she understood that use had been “roughly 50/50.” At that point, BP had applied at least 400,000 gallons of Corexit.

Despite decades of use, there is a paucity of good independent data on Corexit's short- and long-term effects. But there is evidence that the interaction of dispersants with oil creates a toxic synergy worse than any of the ingredients alone.

A 1999 report on Corexit 9500 for the Alaska Department of Environmental Conservation Division of Spill



Globs of oil from the Deepwater Horizon oil spill in the Gulf of Mexico wash ashore on June 26, in Orange Beach, Ala.

Prevention and Response found that under some conditions: "Following dispersant use ... the toxicity of the resulting oil residue (on an oil mass basis) may be increased."

Concerned about toxicity, the United Kingdom has banned Corexit for offshore use in the North Sea.

The EPA response has been scattered. On May 13, facing charges that safer alternatives to Corexit were available, Jackson said BP was free to pick among any of the 18 agency-approved dispersants. Then in a May 20 directive, the EPA announced it "requires BP to identify a less toxic alternative."

The company balked, and the EPA caved. The agency admitted it could not readily find a safer alternative since data in the National Contingency Plan Product Schedule was provided by the companies themselves, and had been criticized as unreliable.

The EPA was reluctant to challenge BP. "If you're going to tie our hands, then we don't own this spill," BP Vice President David Rainey warned.

In a corner, Jackson told BP to "establish an overall goal of reducing dispersant application by 75 percent from the maximum daily amount." That wording allowed BP to use the day of highest dispersal—70,000 gallons—as the benchmark. Jackson was then able to accurately (but misleadingly) claim that BP had reduced dispersant use by 68 percent. In fact, the average daily use had only gone down slightly, from 24,700 gallons before the directive to 22,600 after it.

"[Dispersants] make the oil more soluble in water, so it won't just sit on the surface," Jackie Savitz, senior scientist with Oceana told CNN. "Whether that's good or bad depends on whether you're a fish or a seabird."

Or a BP executive trying to mitigate fines and payouts based on the quantity spilled and the damage done.

"The bottom line," says Hugh Kaufman, an engineer in the field of hazardous waste and emergency response who has worked at the EPA for four decades, "is that the EPA and government reaction documents the fact that dispersants were used to protect the economic health of BP at the expense of the environmental health of the Gulf."

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Terry J. Allen, an *In These Times* senior editor, has written the magazine's monthly investigative health and science column since 2005.

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Pressure test complete on blown-out Gulf well: BP

3:54pm EDT

HOUSTON (Reuters) - BP Plc said on Friday it has completed a pressure test on its blown-out Gulf of Mexico well and those results are under review by government scientists and the British oil company.

A recommendation on how to proceed is expected to go to the U.S. government, BP said in a brief news release.

BP may not need a nearly completed relief well to drill into the bottom of the ruptured Gulf of Mexico well if the pressure test shows that cement poured in from the top last week killed the leak, the top official overseeing the government's spill response said on Thursday.

The test could indicate BP already cleared the last hurdle to terminate the source of the world's worst offshore oil spill, retired Coast Guard Admiral Thad Allen told reporters at a briefing on Thursday.

No oil has leaked into the Gulf of Mexico since July 15, when BP plugged the top of the well with cement.

Shares of BP traded in London rose 1.2 percent while the stock rose nearly 1 percent in New York trading.

(Reporting by [Anna Driver](#) in Houston; Editing by [Eric Beech](#))

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August 13, 2010

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Alabama Sues BP Over Gulf Oil Spill

PHILLIP RAWLS | 08/12/10 09:55 PM | 

What's Your Reaction?

MONTGOMERY, Ala. — Alabama's attorney general is suing BP and others over the Gulf oil spill because he says the oil company has broken too many promises about accepting responsibility for the disaster.

Attorney General Troy King filed two lawsuits in federal court in Montgomery late Thursday afternoon on behalf of the state. The lawsuits — one against BP and the other against Transocean, Haliburton and other companies associated with the spill — seek economic and punitive damages. No specific amount was listed.

The lawsuit accuses them of damaging Alabama's coast and economy through "negligent or wanton failure to adhere to recognized industry standards."

BP spokesman Justin Saia said the company had not seen the lawsuit and had no comment. At least 300 federal lawsuits have been filed in 12 states against BP and the other three main companies involved in the April 20 explosion aboard the Deepwater Horizon drill rig, which triggered the disaster.

King sued against the wishes of fellow Republican, Gov. Bob Riley, who hopes to reach an out-of-court settlement with the companies.

BP was leasing the rig Deepwater Horizon from owner-operator Transocean Ltd. when it exploded and sank, killing 11 workers. Halliburton Energy Services Inc., had been working to cap the well that ended up leaking with cement prior to the explosion. The broken well spewed some 200 million gallons of oil into the Gulf for three months before it was plugged.

Riley spokesman Todd Stacy said the governor had not seen the lawsuits. He said the state is still compiling a list of economic damages that it will submit to BP soon. If the company doesn't provide fair and fast compensation, then the state would have a dispute.

"When there is a dispute, then a lawsuit is appropriate," he said.

King said his move is not premature.

Story continues below

"As Alabama's lawyer, I say that, if anything, based on BP's broken promises, their history of saying one thing and doing another, and now, new information that they have been secretly working to gain a legal advance, further delay can only further damage our people," King said.

He said BP is retaining the best expert witnesses to keep the other side from using them to testify against BP and is selling assets perhaps to keep an American court from reaching them to satisfy a judgment.

Riley appointed King as attorney general in 2004. But since then, they have become adversaries. Riley created the task force on gambling because King wouldn't take action against electronic bingo games at casinos. They've been battling it out in the courts over whether the task force has the authority to raid the casinos and seize the games.

As for the spill, a team of economic experts is still trying to put a figure on the state's economic losses.

King will be out of office before the lawsuit makes much progress in court. He lost the Republican primary June 1 to Birmingham lawyer Luther Strange. Strange said King should have consulted with the governor and Gulf coast mayors to make sure the litigation doesn't hurt ongoing negotiations with BP.

The Democratic nominee for attorney general, Montgomery lawyer James Anderson, said King may have had a stronger case if he brought in Alabama cities and counties affected by the spill and possibly even other Gulf states.

He said BP has already lined up some of the top lawyers in the state, and the attorney general's office will have to bring in outside lawyers with experience in this type of litigation if it hopes to win.

"We've got plenty of time to add on attorneys," said Chris Bence, the attorney general's chief of staff.



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Nine Ways to Cool the Planet

IT'S TIME TO ADMIT THAT THE CONVENTIONAL APPROACH to solving global warming is all but dead. The failure of climate talks in Copenhagen last year, coupled with the Senate's refusal to pass tough climate legislation, means we won't get a meaningful cap on carbon pollution anytime soon. At this rate, some fear, it may soon be time to prepare for life on another planet.

But just because our political leaders have failed to fix the looming climate catastrophe doesn't mean we can af-

ford to sit by and do nothing. There are other ways to decarbonize our energy system and stabilize the climate that don't require legislation that limits carbon pollution. Some are small ideas, some are big; some are sure bets, others are at the outer fringes of what's possible. Over the next several months, *ROLLING STONE* will examine a host of innovative solutions to climate change – ideas that harness alternative approaches and creative energies, without waiting for approval by politicians.

JEFF GOODELL



SURE BETS

Saving Forests

The Plan Pay poor farmers in developing nations not to burn down forests. Deforestation produces 15 percent of all emissions – more than cars, trucks, planes, trains and ships combined.

Who's For It Chimp-protector Jane Goodall, deforested nations like Brazil, corporations looking for carbon offsets.

Who's Against It Environmental groups that fear such "offsets" are no substitute for actually cutting emissions.

Biggest Obstacle Creating the global carbon-trading system needed to place a free-market value on forests.

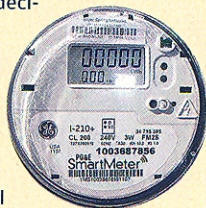
Smart Meters

The Plan Install high-tech power meters to provide real-time info on energy consumption, empowering consumers to make smarter decisions about how and when to use power.

Who's For It Progressive utilities like PG&E, who realize the future is all about pricing plans.

Who's Against It Old-school utilities like the Southern Company, who want to keep consumers in the dark.

Biggest Obstacle Government regulators, who have been slow to insist on this easy-to-implement innovation.



Bio-Char

The Plan Burn crop waste in low-oxygen stoves and bury the charcoal residue. That gets rid of decomposing wastes (which heat up the atmosphere) and restores depleted soil (growing more plants to cool the planet).

Who's For It Organic farmers, scientist James Lovelock, developing nations looking for improved crop yields.

Who's Against It Land-use activists who fear that industrial-scale bio-char operations will promote deforestation.

Biggest Obstacle Building and distributing millions of cheap, low-tech stoves to turn plant waste into bio-char.

ON THE HORIZON

Next-Generation Nukes

The Plan Use new technology and standardized designs to replace coal-fired plants with safer, cheaper, carbon-free reactors.



Who's For It China, Obama, utilities looking for ways to get off coal, and Bill Gates, who has helped attract \$35 million to develop reactors that run on depleted uranium.

Who's Against It Clean-tech entrepreneurs; anyone who has seen the movie *Silkwood*.

Biggest Obstacle Economics and fear. Nobody wants to live near a nuke, and investors shy away from high costs of construction.

Thin-Film Solar

The Plan Create metal sheets of solar cells up to 100 times thinner than silicon-based versions, making solar power cheaper than fossil fuels.

Who's For It Clean-tech advocates, national-security hawks, architects and homeowners into sleek solar designs.

Who's Against It Conventional solar-panel manufacturers, environmentalists worried about impact of large-scale installations.

Biggest Obstacle The complexity of manufacturing, in which tiny irregularities can limit efficiency and reliability.

High-Speed Rail

The Plan Link major cities with super-fast trains, the most efficient, low-carbon way to travel. System in the works to connect San Francisco and L.A. will cut travel time to under three hours.

Who's For It Regional planners, nostalgia buffs.

Who's Against It Detroit, airline industry.

Biggest Obstacle Sorry record of Amtrak, high capital costs (California line alone projected to cost \$45 billion).

THE OUTER FRINGES

Artificial Trees

The Plan Create machines that act as an iron lung for the planet, using a chemical process to suck up carbon pollution. Would allow continued use of fossil fuels without melting the ice caps.

Who's For It Big-think engineers, Bill Gates.

Who's Against It Environmentalists wary of techno-fixes.

Biggest Obstacle Cost. The physics aren't hard, but it's still way more expensive than cutting emissions or switching to solar power.

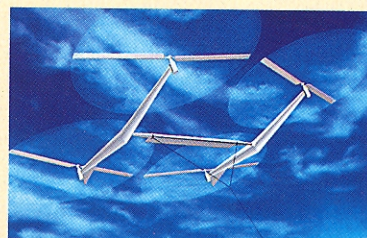
Urban Mag-Lev Transport

The Plan Use magnetic fields to "levitate" individual pods along a track suspended above roads and sidewalks. Pollution-free pods get the energy equivalent of 200 mpg.

Who's For It Urban planners, *Jetsons* fans.

Who's Against It Detroit automakers, electric-car entrepreneurs.

Biggest Obstacle Getting the first system built. Big-infrastructure projects are always tough, especially ones that involve new and untested technologies.



High-Altitude Wind

The Plan Place giant wind turbines, kites and dirigibles high above the planet, tapping into the stronger and more reliable winds in the jet stream.

Who's For It Entrepreneurs funded by Google, which likes the simplicity and big payoff of tapping an inexhaustible source of clean energy.

Who's Against It Engineering skeptics, air-traffic controllers.

Biggest Obstacle Fear of massive wind turbines falling out of the sky.

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EPA questions plan for Canada-Texas pipeline

Agency calling for a closer look at its impact on minorities, poor

By MATTHEW TRESAUGUE
HOUSTON CHRONICLE

Aug. 15, 2010, 8:05PM

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A proposed pipeline that would ferry Canadian crude oil to Texas refineries has run afoul of the recharged federal push to protect minorities and the poor from an overburden of pollution.

The U.S. Environmental Protection Agency says the pipeline plan doesn't evaluate the potential health impacts on Port Arthur, where one fork of the pipeline will end.

The criticism reflects new priorities at the EPA under administrator Lisa Jackson, who has intensified its quest for environmental justice, a movement rooted in the idea that minorities and the poor bear an unfair share of society's toxic ills. The EPA wants to make sure its actions do not add to that burden.

In her two years on the job, Jackson has visited low-income and minority communities across the country. Her stated goal is to include those who are often at the greatest risk of harm but outside the main environmental movement.

Jackson outlined a plan last month to place special emphasis on economic and racial factors in an area when making permit decisions and drafting and enforcing rules. The idea dates to the Clinton years, but the agency hasn't always been so earnest.

"Historically, the low-income and minority communities that carry the greatest environmental burdens haven't had a voice in our policy development or rule-making," Jackson said in a statement that called her plan "part of my ongoing commitment to give all communities a seat at the decision-making table."

Compiling national data

Part of the four-year plan, which is now open for public comment, is developing a national database to identify small tracts of people as unfairly affected over the years by pollution. The tool would use census data, emissions inventories and other numbers to assign a score to an area, and the score will be included in the permitting process.

The EPA is particularly concerned about Port Arthur, one of 10 places across the country that received grants last year as part of the environmental justice push. About 45 percent of the city's residents are black, and they are neighbors to numerous refineries, chemical plants and a waste incinerator.

The Carver Terrace housing project, for example, is within sight of the Motiva refinery, which is in the midst of an expansion that will make it one of the world's largest once the work is done in 2012. The refinery is one of four possible destinations in Port Arthur for the crude from the pipeline proposed by the Canadian energy company TransCanada Corp.

Regulators have approved two segments of the 2,000-mile pipeline, known as Keystone XL. The Texas and Oklahoma portion remains under review, as does a stretch from Alberta, Canada, to Steele City, Neb.

OK'd by State Department

The U.S. State Department, which issues permits for cross-border pipelines, concluded recently that the project would cause "limited adverse environmental impacts" if TransCanada follows its plans and the law.

In response, the EPA raised several concerns, including the potential impacts to Port Arthur residents, who may be exposed to greater risks from the emissions of the refineries receiving the Canadian oil.

Environmentalists praised the EPA's position as a "game-changer" for the project.

But Tracy Hester, director of the Environment, Energy and Natural Resources Center at the University of Houston's law school, said it's rare to see a permit changed on environmental justice grounds.

"From a permitting and regulatory perspective, it's been a factor for 20 years, but it hasn't been a driver," Hester noted. "It never seems to translate into action."

The EPA's renewed effort will be meaningful, he said, if it leads to changes in permits and enhanced enforcement and inspections in troubled areas.

Still, Hilton Kelley, a Port Arthur activist, is hopeful that the EPA's intervention will lead to changes because "we're already inundated with air toxics." But he said the proposed pipeline hasn't stirred up a fuss in the city because of the need for jobs.

Starvation vs. pollution?

Built on oil wealth, Port Arthur has fallen on hard times, with one of the highest unemployment rates in Texas at 11 percent. The statewide rate is 8.5 percent, according to recent data.

The Motiva expansion, for one, is expected to generate 6,500 construction jobs and up to 300 permanent jobs.

"The community has bought into the idea because of jobs, but they're not looking at the longer-term issue of emissions," Kelley said. "They say, 'It's easier to die from starvation than pollution.' What do you choose? Until we get other companies interested in our area, then that's the dilemma we're facing."

Business groups also have questioned whether the EPA's justice campaign would stop or restrict economic activity.

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With the Keystone XL project, the refiners said the Canadian shipments would offset declining imports from Venezuela and Mexico and thus produce no additional emissions in Port Arthur.

"Our refinery was built more than 100 years ago, so no one in the area woke up to find a refinery there," said Bill Day, a spokesman for San Antonio-based Valero Energy Corp., which would refine oil from TransCanada in Port Arthur. "People moved there with the knowledge that the refinery is there."

matthew.tresaugue@chron.com

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MissingLink wrote:

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revinax_reloaded wrote:

Just what this country needs, another corrupt and unnecessary federal bureaucracy playing race politics.

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TomJefferson wrote:

The EPA, DEA, FDA, DOE, DOT, FCC, IRS, DHS, TSA and a BUNCH of other federal disasters should be disbanded and all employees fired & benefits cancelled..

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bill1251 wrote:

This has to be the stupidest thing I have read in a long time. My gosh, this might open up some new jobs. The administration wouldn't want to lower the unemployment rate. People might be able to support themselves and lose their dependency on Washington. And if it leaks right at the end, black people might be effected. It might also reduce our dependency on muslim countries. Barry can't have that.

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Supertiger5 wrote:

These damn liberals are the same one's that killed 8 out of 11 clean coal fired energy generation plants here in rural Texas even though they were over a hundred miles away from any major city. The pollution would have been negligible and with Houston having the highest electric rates in Texas coal is the best choice. We sell millions of tons coal to China every year and they are bringing more coal power plants online every week. It's plain stupid not to use it here in the US. This pipeline would bring jobs to Port Arthur and bring these people out of poverty if they want to work for a better life. But no they just want to complain we are not giving them enough welfare and free housing. It's all about money with the EPA and these other groups. Every time they win, shut an industry down, or have it moved to another country they get more money. They should be destroyed.

8/16/2010 2:56:17 AM

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Tell the EPA to suck rocks. I have had just about enough from them.

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Texastochina wrote:

Lisa Jackson became Administrator of the Environmental Protection Agency in 2009 under President Barack Obama. She is the first African American to head the federal bureau. Minority in this case means black. Big surprise.

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County input sought for natural resource concerns

By FROM NEWS RELEASE

Originally published August 14, 2010 at 10:27 p.m., updated August 14, 2010 at 10:27 p.m.

IF YOU GOWhat: Victoria Soil and Water Conservation District and the USDA-Natural Resources Conservation Service local work group meeting/listening session

TOPIC: Agriculture or conservation

When: 1:30 p.m. Tuesday

Where: Town Hall Meeting Room of the First Victoria Bank

...

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IF YOU GOWhat: Victoria Soil and Water Conservation District and the USDA-Natural Resources Conservation Service local work group meeting/listening session

TOPIC: Agriculture or conservation

When: 1:30 p.m. Tuesday

Where: Town Hall Meeting Room of the First Victoria Bank

Cost: Free

More information: USDA-NRCS office in Victoria, 361- 576-1129 Ext. 3; or Texas NRCS website, www.tx.nrcs.usda.gov.

The Victoria Soil and Water Conservation District and the USDA-Natural Resources Conservation Service will hold a local work group meeting/listening session for anyone interested in agriculture or conservation at 1:30 p.m. Tuesday.

The purpose of the meeting is to receive input from a broad range of local agencies, organizations, businesses and people who have an interest in natural resource conditions and needs in Victoria County.

Attendees can also learn about federal and state programs that provide technical and financial assistance for conservation planning, learn the difference between conservation plans and Environmental Quality Incentive Program contracts, and about the programs that were implemented in 2010 in Victoria County.

Those who farm, ranch, professionals representing agricultural and natural resource interests, and people representing a variety of disciplines in the soil, water, wetland, plant, forestry, and wildlife sciences who are familiar with agricultural and natural resource issues in the local community are encouraged to attend.

For more information, call the USDA-NRCS office in Victoria at 361- 576-1129 Ext. 3. NRCS office locations and program information can be found on the Texas NRCS Web site at www.tx.nrcs.usda.gov. USDA is an equal opportunity provider, employer and lender.

People with disabilities who require special accommodations and/or alternative means for communication of program information such as Braille, large print, audiotape, associated with this meeting should contact Leroy Mikeska at 361-576-1129 Ext. 3 prior to the meeting.



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Obama to mark Katrina anniversary in New Orleans



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WASHINGTON — President Barack Obama will mark the fifth anniversary of Hurricane Katrina in New Orleans on Aug. 29.

The White House says Obama will speak at Xavier University. Other administration officials who have worked on Katrina recovery efforts will also be in the region to mark the anniversary.

Obama made his first trip to New Orleans since taking office in October, holding a town hall with local residents. He returned to the city again this year to assess efforts to stop the Gulf of Mexico oil spill.

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Solar hot water systems catching on

[By Tracy Idell Hamilton](#) - Express-News

Web Posted: 08/13/2010 12:00 CDT



Cinco Solar's Hollis Fitch (left) and Hugh Daschbach stand by solar thermal panels on the roof of the Bexar County Jail Annex. The county expects to save up to \$50,000 a year on utility bills at the facility. JERRY LARA/glara@express-news.net

When people think about solar energy, they usually envision roof panels that turn the sun's heat into electrons.

Often overlooked is an older, simpler solar technology — using the sun's rays to directly heat water.

Hot water can't run an air conditioner or a big-screen television the way energy from a solar photovoltaic system can, but water heating is a big part of a building's utility bill.

Factor in that solar hot-water systems are two to three times more efficient than solar photovoltaic technology, and it becomes an attractive option for harnessing the sun's power.

That was the calculation for Bexar County officials, who today will mark the successful installation of what is likely the largest solar thermal system in the state, on the roof of the county jail annex.

The county expects to save up to \$50,000 annually on the 20,000-gallon system, which on most days supplies all the hot water needed for the annex's roughly 1,700 inmates — their showers, laundry, cooking and cleaning. Commissioner Tommy Adkisson, long the driving force behind Bexar County's green initiatives, said the investment makes sense in a state that has more sun than oil.

“When I die, I don't want God to say ‘I gave you all this wonderful sun, and all you did was put on sunscreen,’” he said.

But even as county officials celebrate, the market for solar hot water continues to lag the one for photovoltaic systems.

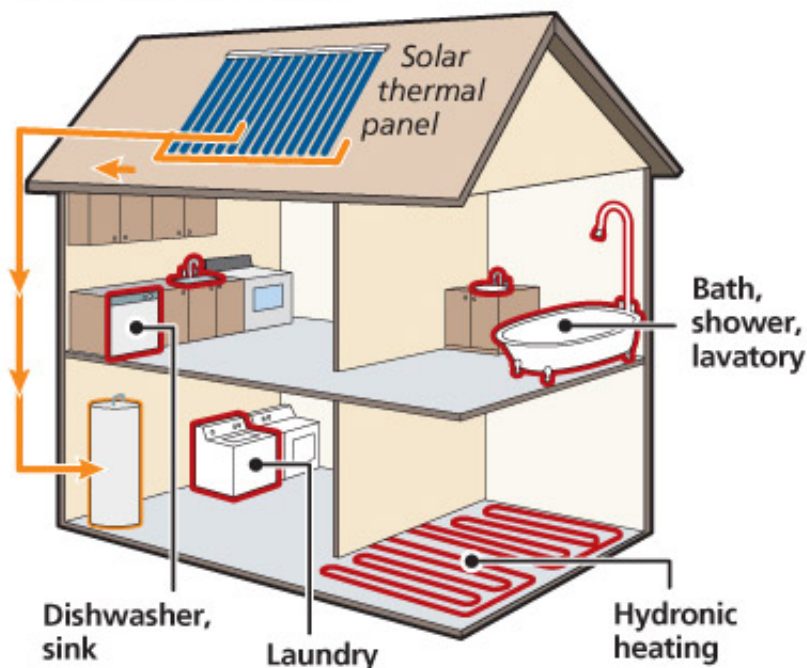
That's in part, say solar advocates, because solar “PV” has better captured consumers' imagination. The title of a recent article in an industry trade magazine summed it up this way: “Photovoltaic = Sexy. Thermal Solar = Not So Much.”

Heating water with sunshine

Solar thermal technology can take several forms, but in general the sun superheats elements and water absorbs heat from the elements.

Solar photovoltaic, which converts sunlight to electricity, is more popular but less efficient and often more expensive.

Hot water supplied to:



Sources: Cinco Solar; Eco Generation Services

EXPRESS-NEWS GRAPHIC

That perception may be changing, at least locally, thanks in part to large, high-profile projects like the jail annex,

which are reaping big savings and attracting statewide interest.

Solar companies also are trying to get the word out.

“It really is a bigger bang for your buck,” said Shelby Ruff of Solar Community, which installs both thermal and PV on homes and businesses. “To get (similar) savings takes two solar thermal collectors versus 20 to 30 PV collectors.”

The jail's system, with 216 evacuated tube collectors, surpassed the 176 collectors installed on the high-rise apartment building at the Army Residence Community, a nonprofit retirement complex for military families on the Northeast Side. The collectors provide the bulk of hot water needed for 198 apartments.

The community's finance director, Bruce Chittenden, has been known to send his low utility bills with big smiley faces on them to Cinco Solar, the company that designed and installed the jail and Army community systems.

Chittenden says the system is saving enough each month to exceed a 6 percent return on investment.

“It's a great deal,” he said, noting that the racks of evacuated tubes, which capture the sun's heat then transfer it to the water supply, also shield the roof, reducing demand on the air conditioning system.

Cinco Solar, a Spring Branch company founded three years ago by Hollis Fitch III, a former petroleum engineer, began as a full-service solar company before narrowing its focus to large-scale solar thermal.

Solar hot water isn't right for every application, Fitch said, but makes perfect sense for high-water-use businesses and institutions such as hospitals, laundries and apartment buildings.

“It wouldn't make sense on an office high-rise,” he said. “There just aren't enough hot-water needs.”

But solar thermal is used for more than just heating bath water.

Cinco Solar is putting a system on the roof of the new Norman Hackerman Life Sciences building at the University of Texas at Austin as part of the building's air conditioning and heating system.

To dehumidify a building, air temperature must be drastically reduced, then heated back up to a temperature comfortable for people. Cinco Solar's system will do that reheating. In the winter, the heated water will help warm the building's air.

Fitch said that application is a very efficient use of the technology, and he expects to see more of it in the future.

Cinco Solar recently installed a smaller system at James Madison High School, which will be used for yet another purpose: heating the floors of its new livestock barns, part of a \$24.6 million expansion of its Agrisciences Magnet Program.

Heating barns in the winter had always been an inefficient process, using large gas or electric heaters, said Jorge Cabello, senior director of construction planning and design.

“But heat rises, and the open breezeway made that even less cost-effective,” Cabello said.

With the new system, water heated on the roof will flow through pipes under the floor where the animals live,

8/13/2010

Solar hot water systems catching on

keeping them toasty during the chilly months. In the summer, the hot water will be used directly.

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Workers try to block oil drainage



[Show Caption](#) Heather McClelland/The Advocate

- By [DAVID J. MITCHELL](#)
- Advocate River parishes bureau
- Published: Aug 13, 2010 - Page: 1B

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PAINCOURTVILLE — Environmental contractors worked Thursday putting up dikes to block oil from running into swamps west of a wild well that erupted Wednesday in Assumption Parish, as forecasters predicted up to 3 inches of rain through Saturday morning, emergency and weather officials said.

Rain poses not only a runoff risk before embankments and other measures are ready but also can bring lightning that would slow preparations to cap the well spewing flammable hydrocarbons, authorities said.

Environmental officials continued to monitor the air in the vicinity of the blowout and sought to allay

concerns about an oily odor being reported from residences near the well, as well as in Paincourtville and Napoleonville farther away, authorities said.

The Mantle Oil and Gas LLC well began firing a geyser of oil, natural gas, water and sand several hundred feet in the air shortly before 3:30 a.m. Wednesday in a large sugar-cane field near Paincourtville, authorities said.

No one was injured, but the blowout had not been stopped as of late Thursday. It had forced the evacuation of six houses, the shuttering of one business and the closure of two miles of La. 70 between La. 1 and La. 996.

Evacuations and closures remain in effect while the well remains uncapped. The alternate route is La. 996 to La 1000 to La. 1.

On Thursday afternoon, the threat of lightning amid drizzling rain slowed preparations “tremendously,” said Trooper Bryan Zeringue, Louisiana State Police Troop C spokesman.

He said workers had to be pulled from the site for a time before going back to place equipment until the evening.

Zeringue said officials are not sure whether the capping process would start this afternoon, as predicted Thursday.

“Weather is the thing that is going to play a big factor in everything,” he said.

Forecasters with the National Weather Service predicted a 70 percent chance of rain through today, with the possibility for lightning developing east of the parish overnight and early this morning.

Authorities said they are also watching the wind direction and the effect it has on where oil and other material from the well lands. Wind shifts made the roar of the spewing well audible from the command area Thursday.

John Boudreaux, director of Assumption Parish Office Homeland Security and Emergency Preparedness, said his office received reports of an oily stench downwind of the well but air monitoring has shown that the air is not a health hazard.

“There is no indication of any kind of exposure in those areas,” Boudreaux said.

OIL to 2B

The Louisiana Department of Environmental Quality is monitoring air at 13 sites as much as a mile or more from the well and has plans to monitor in Napoleonville and Paincourtville, said Peter Ricca, manager of DEQ State Emergency Response Group.

He said a mobile air monitoring lab station was also expected in Napoleonville on Thursday night.

Assumption Parish Sheriff Mike Waguespack said the station would be set up behind the parish courthouse.

Ricca said DEQ has also asked the U.S. Environmental Protection Agency to provide a contractor it uses for community sampling.

A light petroleum scent, faintly like motor oil, was detectable Thursday northeast of the well in Belle Rose.

Marvin Bernard, 55, who lives on Virginia Street in Belle Rose, said he smelled oil in his house about midnight Thursday and had to shut off his air conditioner because oil seemed be coming through it.

He said he also went outside last night and his eyes and nose were irritated and that he became a little nauseated.

“I could tell I was breathing it in,” he said.

Nathaniel Carter, 65, who also lives on Virginia Street, said the odor of oil has not gotten in his house, but he can smell it outside.

Officials said much of Thursday was spent preparing to cap the well site: handling and placing arriving equipment and working on runoff controls.

Contractor Oil Mop LLC was in the process of building dikes and a basin Thursday to block and collect oil, Ricca said.

He said creating dikes and the basin area is the “second-highest priority” after air monitoring, saying it all has to be in place before the well can be capped.

The well is east of Grand Bayou and a cypress swamp along La. 70 near a Dow Chemical brine plant and salt dome operations.

In addition to the threat of rain, the bigger runoff concern, Ricca said, comes later when contractors attempt to cap the well and use equipment to create a curtain of water to suppress fire risk.

Ricca said the affected cane fields drain readily. He said a dike is being built just north of where a drainage ditch crosses under La. 70.

Oily material has been reported falling on farm equipment more than a mile to the southwest.

Oil condensate, a mixture of oil and water with the consistency of gasoline, has fallen on several hundred yards of La. 70, south of the well.

Residents with oil odor or oil concerns can call the American Association of Poison Control Centers

hotline at (800) 222-1222 or the Assumption Parish OHSEP at (985) 369-7386.

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Star-Telegram

BP agrees to \$50.6 million fine in Texas City explosion

Posted Thursday, Aug. 12, 2010

BY SAM HANANEL

The Associated Press

WASHINGTON -- Beleaguered oil giant BP has agreed to pay a record \$50.6 million fine for failing to correct safety hazards at its Texas City oil refinery after a 2005 explosion killed 15 workers.

The Occupational Safety and Health Administration said Thursday that it is still working to collect \$30 million from BP Products North America for other penalties that the company is contesting.

"The size of the penalty rightly reflects BP's disregard for workplace safety and shows that we will enforce the law so workers can return home safe at the end of their day," Labor Secretary Hilda Solis said.

While the fines pale compared with the billions BP is committed to paying for damage caused by the Gulf of Mexico oil spill, it stands as the largest penalty issued in OSHA's history.

OSHA had initially proposed \$87 million in penalties in October, but later reduced it to \$80 million because it had inadvertently imposed several duplicate fines.

BP spokesman Scott Dean strongly denied Solis' assertion that BP has a disregard for safe working conditions.

Under the agreement, BP will invest \$500 million between now and 2016 to upgrade safety conditions at the refinery.

OSHA officials have blamed the Texas City explosion on a piece of equipment that overfilled with highly flammable liquid hydrocarbons.

Alarms and gauges that were supposed to warn of the overfill did not work properly.

The deadly explosion at the refinery, about 40 miles southeast of Houston, also injured more than 170 people.

Until now, the largest fine OSHA had assessed was \$21 million, also against BP in the same refinery accident.

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